

**RESOLUTION REPEALING RESOLUTION _____ DATED July 27, 1972
THAT ESTABLISHED THE SOUTHWEST OHIO REGIONAL TRANSIT
AUTHORITY AND ESTABLISHING UNDER REVISED CODE SECTION 506.30
– 506.47 A NEW GREATER CINCINNATI REGIONAL TRANSIT AUTHORITY
WITH THE OPTION OF EVOLVING INTO A REGIONAL TRANSIT
COMMISSION**

This **RESOLUTION** is adopted this _____ day of September, 2008 for the purpose of repealing **RESOLUTION _____** dated October 2, 1968 which established the Southwest Ohio Regional Transit Authority [SORTA] and creating a new transit authority, to be named the Greater Cincinnati Regional Transit Authority, a transit system encompassing multiple Ohio counties and political subdivisions under authority of sections 506.30 – 506.47 of the Ohio Revised Code, and further establishing the potential of said transit system evolving into a multi-state Regional Transit Commission as permitted under section 506.80 – 506.90 of the Ohio Revised Code.

WHEREAS, a gallon of gasoline now approaches \$4.00 at the pumps; and

WHEREAS, Greater Cincinnati faces new ozone attainment standards under the Clean Air Act; and

WHEREAS, from the creation of the combustible engine and the manufacture of the first automobile it took until 2004 for gasoline to reach two dollars a gallon. In only four years since the next two dollar increase in the cost of a gallon of gas occurred. Some analysts predict that yet another two dollars increase per gallon of gasoline will occur before the end of this year; and

WHEREAS the facts are that the era of cheap gasoline is over; and

WHEREAS, our growth and transportation policies must be based upon as new reality requiring that we have multiple transportation options available to meet the needs of area commuters, motorists and recreational travelers alike in our region; and

WHEREAS, to make these options available we must work collectively and on a regional basis to create a regional system that:

- 1.) Is governed on a regional basis with the communities in our metropolitan area each having a meaningful seat at the table of governance, policy formation and decision making;
- 2.) Is funded for existing maintenance and operations of the current system and all growth of the system must be fair, equitable, affordable and must embrace new funding concepts, including funding based upon public-private partnerships that are founded upon fiscally sound economic development principles;

- 3.) Provides fully integrated services among several modalities of service; and
- 4.) Provides cross-community, cross-jurisdictional routes of service meeting the needs of our metropolitan region and the people in it; and

WHEREAS, as responsible citizens we must treat this emerging emergency as the critical issue it is with leadership willing to work together for as long as it takes to get the job done.

NOW THEREFORE, BE IT HEREBY RESOVED AND DECREED THAT:

1. A **RESOLUTION** enacted October 2, 1968 creating the Southwest Ohio Regional Transit Authority is and shall be repealed effective April 30, 2009; said existing Southwest Ohio Regional Transit Authority transitioning into a new Regional Transit Authority enacted pursuant to Revised Code sections 506.30 – 506.47 to be known as the *Greater Cincinnati Regional Transit Authority* [**GCRTA**]; and
2. The **Greater Cincinnati Regional Transit Authority** [GCRTA] shall be entrusted with the primary responsibility of providing public transportation under one or more modalities of transit service for the benefit of citizens, visitors, businesses, itinerant travelers, and others in Hamilton County, Ohio and adjoining southwest Ohio counties of Butler, Warren and Clermont; and
3. Said **GCRTA** shall be funded initially with a combination of revenue sources that include, without limitation, a dedicated 0.3% earnings tax administered and collected by the City of Cincinnati and paid by individual wage earners who work in Cincinnati regardless of their place of residence; farebox revenues; grants; state and federal funds; contract payments; and
4. Said **GCRTA** shall be governed by a Board of Directors of not less than 13 nor more than 17 representing the four southwest Ohio counties of Hamilton, Butler, Warren and Clermont; and such other political subdivisions as said counties shall empower, including as a Charter Member the City of Cincinnati; and
5. Said Board shall initially be comprised of 13 Members serving initial staggered terms of 4 years and 2 years [with all 2 year term Members to be replaced, and/or reappointed upon the expiration of said 2 year term for 4 year terms thereafter] as follows:
 - a.) City of Cincinnati – 6 Members, 2 serving 4 year terms and 4 serving 2 year terms;
 - b.) Hamilton County – 4 Members, 2 serving a 4 year term and 2 serving 2 year terms;
 - c.) Butler County – 1 Member serving a 4 year term;
 - d.) Warren County – 1 Member serving a 4 year term;
 - e.) Clermont County – 1 Member serving a 4 year term; and

6. Said Board and County Membership therein shall be determined as follows:

- a.) Each County represented in the Transit System as hereinafter established, or evolved, shall be allotted no less than one (1) seat with full voting and Membership privileges, duties and responsibilities; and
- b.) The initial allotment of Board Seats shall be 13, with the possible expansion to 17 in the event that said Transit System evolves into a multi-state Transit Commission representing the transit interests of, and providing transit service to, Southeast Indiana [Dearborn County] and Northern Kentucky [Boone, Kenton and Campbell counties]; and
- c.) The nine (9) At-Large Membership Seats shall be allotted by jurisdiction based upon a funding formula that shall include all revenues of the Transit Authority and the location of origin of said revenue as determined by residence of taxpayer, residence of fare payer, identity of contract payer by political subdivision, or population/demographic eligibility and impact on allocation of state or federal funds as determined by County, **PROVIDED THAT**, each county may elect to subdivide its Board Membership into Board Seats represented by political subdivision pursuant to act of the County Commission, or Judge Executives, as the case may be, or if a dedicated revenue source shall include a tax imposed by such political subdivision, Board Membership shall be a right as determined by said formula. By way of example and for purposes of explaining the original Board Membership of the *GCRTA*, the total funding [note** these funding percentages are rough approximations and estimates only] of SORTA includes:
 - i. Earnings tax – 47% [60% paid by county, 40% by city residents];
 - ii. Fare-box revenues – 27% [15% by county, 85% by city]
 - iii. Federal and State grants – 11% [60% county/40% city demographic eligibility]; and
 - iv. Contract Payments – 15% [Hamilton, Warren, Clermont and Butler counties all contract to varying degrees with the total revenues representing approximately 15% of total SORTA revenues but on a per-capita basis being insufficient to increase Board Membership in any individual county above their 1/13th or 7.7% total]

Such an analysis yields a pro-rata Board Membership allocation of the nine (9) At-Large Board Seats to be allotted 6 to the City of Cincinnati and 3 to Hamilton County.

[note** The actual percentage, pro-rata breakdown yields rounded pro rata percentages for the city of Cincinnati and Hamilton County of: county 39% / Cincinnati 46% calling for a Board makeup of 4 County and 5 City. However, because Hamilton County already receives one Member automatically and that percentage is not altered when including the contract allocations of 3.75% per

county to the total, the total Hamilton County Board Membership as an entity should not exceed 4 total Members. To account for the total breakdown as impacted by total financial contributions from county of origin the City of Cincinnati should receive one additional Board Membership in recognition of the city providing the vehicle for a dedicated revenue stream]

7. The *GCRTA* Board shall be charged initially to:
 - a.) Operate the bus system operating as Metro throughout the Greater Cincinnati area as presently exists and as shall be expanded; and
 - b.) Move to implement the series of system and service enhancements previously presented to the public under the name “Metro Moves”; and
 - c.) Operate a system of bus transit service for people with disabilities under the name “Access”; and
 - d.) Move to implement service enhancements for people with disabilities including without limitation expanding the area of service to cover the entirety of the populated area of Hamilton County and to expand the modalities of available service for people with disabilities to include, at a minimum, handicap taxi service; and
 - e.) Negotiate to embrace and include other public transit systems [as may now exist or as may hereinafter be developed] operating within the four county *GCRTA* jurisdictional area for the purpose of developing a larger, integrated system of service by, between and among the four county jurisdictional area; and
 - f.) Support the development of other modalities of service, including without limitation, local Streetcar, passenger commuter rail, inter city passenger rail; interstate passenger rail, high-speed intercity and interstate passenger rail and, without in any way diminishing or limiting the generality of the foregoing, support the development and implementation of the Midwest Regional Rail Initiative [MRRRI] and the Cleveland-Columbus-Cincinnati [via Dayton] [3C and D Connector] passenger rail connector in Ohio; and
 - g.) As an element of working upon the tasks called for in the preceding paragraph, participate in the review of the Regional Rail Plan for the purpose of determining the viability and relevance of the plan to the current development of the region and, as appropriate, encourage and/or collaborate with others to either take ownership over one or more arms of the plan for the purpose of developing and establishing legs of service; and
 - h.) Establish regular lines of communication with area Transportation Improvement Districts, OKI Regional Council of Governments, individual transit systems, and/or others actively involved in the development of transportation policies and/or systems, for the purpose of ensuring the coordinated and comprehensive development of transportation policy and systems serving the region; and
 - i.) Establish regular lines of communication with area Transportation Improvement Districts, OKI Regional Council of Governments, individual transit systems, and/or others actively involved in the

development of transportation policies and/or systems, for the purpose of helping in the development of a coordinated and unified approach by the Greater Cincinnati Region toward all hereinafter developed state or federal transit legislation, policies, and bills including funding; and

j.) Pursue the potential of establishing a multi-state Regional Transit Commission as allowable under Ohio Revised Code sections 506.80-506.90 by December 31, 2010.

8. In the event of the addition of other transit systems as described in the preceding paragraph and its sub-parts, a new calculation of financial contributions and by county shall be completed and the impact of such a calculation of Board representation shall also be calculated with any attendant changes to be made effective the first day of January in the year immediately following such calculation. In the event such a calculation calls for the addition of one or more members for any county and/or the loss of one or more members for any county, the county commission of judge executives, as the case may be, shall determine what such change[s] shall be.
9. The Board of Trustees of the Authority shall elect a Chair who shall serve at the pleasure of the Board.
10. The Board shall meet in Open Public Meetings at regular intervals of at least one meeting per month and at such other times as the Chair may call, or that two other Members may call.
11. The Board shall keep Minutes of its meetings and adequate records of all of its actions and shall be governed by the laws of the State of Ohio and, procedurally, shall operate under Roberts' Rules of Procedure.
12. Vacancies on the Board shall be filled in the same manner as original appointments.

This **RESOLUTION** has been **ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Hamilton County, Ohio on this ____ day of _____, 2008.

Todd Portune
President of the Board

David Pepper
Vice-President of the Board

Pat DeWine
County Commissioner

This **RESOLUTION** has been **ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Butler County, Ohio on this ____ day of _____, 2008.

This **RESOLUTION** has been **ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Warren County, Ohio on this ____ day of _____, 2008.

This **RESOLUTION** has been **ADOPTED** at a regularly scheduled meeting of the Board of County Commissioners of Clermont County, Ohio on this ____ day of _____, 2008.

This **RESOLUTION** has been **ADOPTED** at a regularly scheduled meeting of the Cincinnati City Council of Cincinnati, Hamilton County, Ohio on this ____ day of _____, 2008.

Mark Mallory
Mayor, City of Cincinnati

Members of Council:

David Crowley

Jeff Berding

Chris Bortz

John Cranley

Laketa Cole

Leslie Ghiz

Chris Monzel

Cecil Thomas

Roxanne Qualls